

Fax: 1-718-829-0032

E-mail: Skschlein@gmail.com
Pryor@PryorLaw.com

^{IAS}
At a Special Commercial Part 4 of the
Supreme Court, Bronx County, located
at 851 Grand Concourse, Bronx, New York
10451 on March 23, 2022.

PRESENT: **DORIS M. GONZALEZ**, Justice

-----X
286 RIDER AVE DEVELOPMENT LLC,

Index No. 804332/2022

Plaintiffs,

ORDER TO SHOW CAUSE

-against-

286 RIDER AVE LENDER LLC and BE-AVIV
286 RIDER LLC,

Defendants.
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Upon the accompanying Verified Petition, verified on March 21, 2022 and the exhibits annexed thereto and upon all prior papers and proceedings had herein,
^{At a VIRTUAL CONFERENCE}
LET Respondents show cause at a Special Commercial Part 4 of this Court to be held at Supreme Court, Bronx County, 851 Grand Concourse, Bronx, N.Y. 10451, in Courtroom 413, on the 11th day of APRIL, 2022 at 10:30 o'clock in the a.m./p.m. why an Order should not be issued as follows:

- a. Declaring that Plaintiff 286 Rider Ave Development LLC is and has been the sole and exclusive member of Plaintiff 286 Rider Ave Acquisition LLC and that any acts by or on behalf of the Defendants or claims that Defendants possessed any type of membership or managerial interest in Plaintiff 286 Rider Ave Acquisition LLC are null and void *ab initio* because Defendant 286 Rider Ave Lender, LLC, a Delaware Limited Liability Company, is not authorized to do business in the State of New York;

- b. Declaring that Plaintiff 286 Rider Ave Development LLC properly and fully redeemed its entire interest in Plaintiff 286 Rider Ave Acquisition LLC;
- c. Enjoining and restraining Defendants, and all those acting in concert with them or on their behalf, from unlawfully managing Acquisition or otherwise interfering with Development's management of Acquisition; and
- d. For such other and further relief as this court deems just and proper.

SUFFICIENT REASON APPEARING THEREFOR, IT IS HEREBY

ORDERED that pending the hearing of this motion for a preliminary injunction, Defendants, and all those acting in concert with them or on their behalf, be and hereby are enjoined and restrained from unlawfully managing 286 Rider Ave Acquisition LLC or otherwise interfering with 286 Rider Ave Development LLC's management of 286 Rider Ave Acquisition LLC, and it is further

ORDERED that a copy of this Order to Show Cause together with the papers upon which it is granted shall be served upon Defendants by personal delivery or certified mail on Defendant 286 Rider Ave Lender, LLC, 123 Fifth Avenue, 4th Floor, New York, New York 10160, and on Defendant Be-Aviv 286 Rider LLC, 41 Wooster Street, 2nd Floor, New York, New York 10013, on or before the 28th day of MARCH 2022 and be deemed good and sufficient service.

ENTER:


_____, J.S.C.

HON. DORIS M. GONZALEZ
Administrative Judge